

Panaji, 26th August, 1982 (Bhadra 4, 1904)

SERIES II No. 22

OFFICIAL GAZETTE

GOVERNMENT OF GOA, DAMAN AND DIU

GOVERNMENT OF GOA, DAMAN AND DIU

Department of Personnel and Administrative Reforms

Order

No. 4/3/76-PER(Vol. III)

On placement of his services at the disposal of this Administration by Government of India, Ministry of Home Affairs, Department of Personnel and Administrative Reforms, New Delhi, vide their Office Memorandum No. 13015/3/82-IES dated the 29th April, 1982, the Administrator of Goa, Daman and Diu, is pleased to appoint Shri R. Tripathi, Indian Economic Service Officer, as Joint Director, Directorate of Planning and Statistics, Panaji w.e.f. 21st July, 1982 (Forenoon).

By order and in the name of the Administrator of Goa, Daman and Diu.

G. H. Mascarenhas, Under Secretary (Personnel).

Panaji, 13th August, 1982.

Order

No. 3/9/80-PER(iii)

The Administrator of Goa, Daman and Diu is pleased to order transfer of the following IPS Officers/Dy. Superintendents of Police indicated in Col. 2 below with immediate effect, and to post them as shown in Col. 3.

Sr. No.	Name of the Officers and their present designations	Posted as
1	2	3
1.	Shri Satish Chandra, IPS, SDPO, Panaji, also holding the additional charge of the post of Superintendent of Police (C.I.D.).	SDPO, Margao vice Shri D. A. Prabhudesai transferred.
2.	Shri D. A. Prabhudesai, SDPO, Margao.	SDPO, Panaji vice Shri Satish Chandra transferred.

2. Shri D. A. Prabhudesai shall look after the work of Superintendent of Police, Goa, Daman and Diu, in addition to his own duties. Shri D. T. Barde, Dy. Superintendent of Police (C.I.D.) shall look after the work of Superintendent of Police (C.I.D.) in addition to his own duties. Shri A. K. Seth, IPS, Dy. Commandant General Home Guards and Dy. Director Civil Defence shall look after the work of Superintendent of Police (Training), in addition to his own duties.

By order and in the name of the Administrator of Goa, Daman and Diu.

G. H. Mascarenhas, Under Secretary (Personnel).

Panaji, 17th August, 1982.

Order

No. 6/38/77-PER

Shri D. S. Shirodkar, Grade II Officer of Goa, Daman and Diu Civil Service, presently functioning as Dy. Director (Vigilance) shall officiate as Pass-Port Officer in addition to his own duties with effect from 4-8-1982, until further orders.

By order and in the name of the Administrator of Goa, Daman and Diu.

G. H. Mascarenhas, Under Secretary (Personnel).

Panaji, 18th August, 1982.

Home Department (General)

Order

No. 13/1/80-HD(G)

In exercise of the powers conferred by sub-section (3) of section 3 of the National Security Act, 1980 (No. 65 of 1980), the Administrator of Goa, Daman and Diu being satisfied having regard to the circumstances likely to prevail in any area within the local limits of the jurisdiction of the District Magistrate, Goa that it is necessary so to do hereby directs that the said District Magistrate may also, if satisfied as provided in sub-section (2) of section 3 of the said Act, exercise the powers conferred by the said sub-section within the local limits of his jurisdiction for a period of three months from the date of issue of this order.

By order and in the name of the Administrator of Goa, Daman and Diu.

S. M. Naik, Under Secretary (Home).

Panaji, 18th August, 1982.

Order

No. 13/1/80-HD(G)

In exercise of the powers conferred by sub-section (3) of section 3 of the National Security Act, 1980 (No. 65 of 1980), the Administrator of Goa, Daman and Diu being satisfied having regard to the circumstances likely to prevail in any area within the local limits of the jurisdiction of the District Magistrate, Daman that it is necessary so to do hereby directs that the said District Magistrate may also, if satisfied as provided in sub-section (2) of section 3 of the said Act, exercise the powers conferred by the said sub-section within the local limits of his jurisdiction for a period of three months from the date of issue of this order.

By order and in the name of the Administrator of Goa, Daman and Diu.

S. M. Naik, Under Secretary (Home).

Panaji, 18th August, 1982.

Order

No. 13/1/80-HD(G)

In exercise of the powers conferred by sub-section (3) of section 3 of the National Security Act, 1980 (No. 65 of 1980), the Administrator of Goa, Daman and Diu being satisfied having regard to the circumstances likely to prevail in any area within the local limits of the jurisdiction of the District Magistrate, Diu that it is necessary so to do hereby directs that the said District Magistrate may also, if satisfied as provided in sub-section (2) of section 3 of the said Act, exercise the powers conferred by the said sub-section within the local limits of his jurisdiction for a period of three months from the date of issue of this order.

By order and in the name of the Administrator of Goa, Daman and Diu.

S. M. Naik, Under Secretary (Home).

Panaji, 18th August, 1982.

Notification

No. HD/25-65/73-HD(G)/Vol.II

Ref:— Government Notification No. HD/25-65/73-HD (G)/Vol.II dated 6th August, 1982.

In exercise of powers vested in him under Section 44 of the Motor Vehicles Act 1939, the Lieutenant Governor of Goa, Daman and Diu is pleased to decide that Shri S. M. Dixit, Officiating Director of Transport, Panaji shall continue to be the Member Secretary of the State Transport Authority of Goa, Daman and Diu for a further period from 9-8-1982 till Shri E. Noronha Rodrigues, Director of Transport and Member Secretary of the State Transport Authority resumes his duties.

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

S. M. Naik, Under Secretary (Home).

Panaji, 18th August, 1982.

Planning Department

Order

No. 4-23-70/PLG

On recommendations of the Departmental Promotion Committee of Group 'B' Officers of the Common Statistical Cadre the ad-hoc appointments of the below mentioned Research Assistants are hereby regularised with effect from the dates shown against their names:—

Name of the Officer	Date from which regularised
1. Shri R. B. Dessai	6-12-1975.
2. Shri Ivo Furtado	24-10-1975.
3. Shri D. Sardesai	11-10-1977.
4. Shri A. M. Shaikh	3-10-1977.
5. Shri J. L. M. Dias	17-10-1977.
6. Shri D. G. Natekar.	3-10-1977.
7. Shri V. B. Gharse	16-1-1979.

By order and in the name of the Administrator of Goa, Daman and Diu.

N. D. Vengurlekar, Planning Officer.

Panaji, 11th August, 1982.

Works, Education and Tourism Department

Order

No. 13/6/82-II-WET

Shri Dhananjay Jog is hereby temporarily appointed as Lecturer in Electronics in the Govt. Polytechnic, Panaji with effect from 12-6-82 (B.N.) on an initial pay of Rs. 700/- p. m.

in the scale of Rs. 700-40-900-EB-40-1100-50-1300 plus the usual allowances admissible from time to time.

The appointment is subject to the conditions specified in this Office Memorandum of even number dated 20-5-82 and the rules and regulation laid down by the Govt. from time to time.

The appointment is purely on ad-hoc basis and it will not bestow on the appointee any claim for regular appointment, promotion to higher post and seniority and will be liable to be terminated by one month's notice or with the payment of one month's salary in lieu of notice.

The appointment is liable for termination in case the character and antecedents of the appointee are adverse so as to disqualify him from holding a post under Government.

By order and in the name of the Administrator of Goa, Daman and Diu.

N. D. Vengurlekar, Planning Officer.

Panaji, 9th July, 1982.

Order

No. 14/16/68-WET-Vol.II

Shri Randir Singh Tyagi a candidate recommended by the Union Public Service Commission is hereby temporarily appointed to the post of Superintendent, Technical High School Centre, Panaji of the Directorate of Education with effect from 21-7-82 (FN) in the pay scale of Rs. 700-40-900-EB-40-1100-50-1300 plus other allowances sanctioned by Government from time to time.

His initial pay shall be fixed as per the rules as recommended by the Union Public Service Commission vide their letter No. F.1/560/80-RG dated 25-7-81.

The appointment is temporary and is subject to the conditions specified in this Office Memorandum of even number dated 14-9-81.

The appointment is further subject to the conditions that he is found medically fit by the competent Medical Board and his antecedents are verified.

By order and in the name of the Administrator of Goa, Daman and Diu.

Pukh Raj Eumb, Joint Secretary (P & D).

Panaji, 12th August, 1982.

Directorate of Education

Order

No. DE/Acad.I/SEZ/29/76-77/3405

Read:— Letter dated 26-5-82 from the President, Mathagramasth Hindu Sabha.

The President of Mathagramasth Hindu Sabha which was managing Shri Damodar Vidyalaya Marathi Medium High School, Margao-Goa, has vide his letter quoted above informed this Directorate that the Management has to close down the said School from the academic year 1982-83.

In view of this fact the undersigned hereby orders that Shri Damodar Vidyalaya Marathi Medium High School is closed with effect from 7-6-1982.

Rakesh Mohan, Director of Education.

Panaji, 20th August, 1982.

Local Administration and Welfare Department

Notification

No. 4-10/74-UDD-Vol.II

In exercise of the powers conferred by sub-section (1) of section 4 of the Goa, Daman and Diu Town and Country Planning Act, 1974 (Act No. 21 of 1975), the Government of

Goa, Daman and Diu hereby constitutes the Goa, Daman and Diu Town and Country Planning Board consisting of the following members, namely:

1. Minister in charge—Town and Country Planning — Chairman.

Secretaries to Government:

2. Chief Secretary — (Secretary in charge of Town and Country Planning).
3. Development Commissioner (Secretary Planning).
4. Secretary Industries and Labour.

Heads of Department:

5. Chief Engineer, P.W.D.
6. Chief Conservator of Forests.
7. Director of Transport.
8. Director of Agriculture.
9. Director of Health Services.

Nominees of Central Government:

10. Chief Engineer, South Central Railway, Secunderabad (A.P.).
11. Joint Secretary to Government of India, Ministry of Defence, New Delhi.
12. Joint Secretary to Government of India, Ministry of Transport, New Delhi.
13. Smt. S. Jagannathan, Regional Director (South and West) Government of India, Tourist Office, Bombay.

Expert in the Committee:

14. Shri G. D. Mathur, Town and Country Planner, Town and Country Planning Organisation, Indraprastha Estate, New Delhi.

Nominees of the Government of Goa, Daman and Diu:

15. Shri Bruno de Sousa, Architect, Panaji-Goa.
16. Shri Jose E. Coelho Pereira, Advocate, Panaji-Goa.

Nominee of Goa Chamber of Commerce, Panaji-Goa:

17. Shri B. K. Naik, P. O. Box-12, Margao.

Member from the Legislative Assembly, Goa, Daman and Diu:

18. Shri Luizinho J. Faleiro, M.L.A. Navelim.
19. Shri Shyamsunder Z. Neogi, M.L.A. Mapusa.
20. Chief Town Planner — Town and Country Planning Department — Member Secretary.

By order and in the name of the Administrator of Goa, Daman and Diu.

Alexandre Pereira, Under Secretary (Revenue).

Panaji, 18th August, 1982.

Office of the Asstt. Registrar of Cooperative Societies

No. 10-4-81/ARCS/CZ

- Read: 1) Audit Report of Borim V. K. S. S. Society Ltd., Borim for the year 1980-81.
- 2) Copy of the Annual General Meeting proceeding dated 12-2-82 from the Chairman of Borim V. K. S. S. Society Ltd., Borim Ponda.
 - 3) Order No. 10-4-81/ARSZ dated 12th March 1982 from the Asst. Registrar of Coop. Societies, South Zone, Margao appointing Shri U. P. Talaulikar, Sr. Inspector Coop. Societies South Zone, Margao as liquidator of Borim V. K. S. S. Society Ltd., Borim.
 - 4) Order No. 10-4-81/ARCS/CZ dated 22nd June 1982 from the Asstt. Registrar Coop. Societies, Central Zone, Panaji appointing Shri A. K. Marathe Jr. Inspector Coop. Societies, Central Zone, Panaji as liquidator of Borim V. K. S. S. Society Ltd., in place of Shri U. P. Talaulikar, Sr. Inspector Coop. Societies South Zone, Margao.

Order

In virtue of the powers vested in me under Section 102(1) of the Maharashtra Coop. Societies Act 1960 as applied to the Union Territory of Goa, Daman and Diu, Borim V.K.S.S. Society Ltd., Borim was called upon to submit its explanation if any, within one month from the date of issue of interim order cited above. Since no reply has been received so far from the society, I am satisfied that there is no objection in regard to the society being taken into liquidation. Hence I, V. G. Patil, Asstt. Registrar of Coop. Societies, Central Zone, Panaji hereby confirm the aforesaid order in terms of section 102(2) of the aforesaid Act as applied to the Union Territory of Goa, Daman and Diu.

Further in exercise of the powers vested in me under Section 103(1) of the aforesaid Act, read with Rule 86 of the Cooperative Societies Rules 1962, I hereby appoint Shri A. K. Marathe, Jr. Inspector Coop. Societies, Central Zone Panaji as liquidator of Borim V. K. S. S. Society Ltd., Borim.

V. G. Patil, Asstt. Registrar of Coop. Societies, Central Zone.

Panaji, 21st July, 1982.

No. 7-50-78/ARCS/CZ

- Read: 1) Audit report of 1979-80 of Govt. High School Complex Staff and Students Consumers Coop. Society Ltd., Khandola Marcel-Goa.
- 2) Proceeding of Special General Body Meeting held on 5th August 1979.
 - 3) Letter dated 8th April 1980 from Chairman and members of Govt. High School Khandola School Complex Staff and Students Cons. Coop. Society Ltd.
 - 4) Interim order No. 7-50-78/ARSZ-LQD dated 15th February 1982 from the Asstt. Registrar of Coop. Societies South Zone, Margao appointing Shri N. S. Naik, Jr. Inspector Coop. Societies, South Zone, Margao as liquidator of Govt. High School Khandola School Complex Staff and Students Cons. Coop. Society Ltd.
 - 5) This office order No. 7-50-78/ARCS/CZ dated 22nd June 1982 appointing Shri R. A. Phadte Sr. Inspector Coop. Societies, Central Zone Panaji as liquidator of Govt. High School Khandola School Complex Staff and Students Cons. Coop. Society Ltd., in place of Shri N. S. Naik, Jr. Inspector Coop. Societies, South Zone, Margao.

Order

In virtue of the powers vested in me under Section 102(1) of the Maharashtra Cooperative Societies Act, 1960 as applied to the Union Territory of Goa, Daman and Diu, Govt. High School Khandola School Complex Staff and Students Cons. Coop. Society Ltd., was called upon to submit its explanation if any, within one month from the date of issue of interim order cited above. Since no reply has been received so far from the society, I am satisfied that there is no objection in regard to the society being taken into liquidation. Hence I, V. G. Patil, Asstt. Registrar of Coop. Societies, Central Zone, Panaji hereby confirm the aforesaid order in terms of section 102(2) of the aforesaid Act as applied to the Union Territory of Goa, Daman and Diu.

Further in exercise of the powers vested in me under Section 103(1) of the aforesaid Act, read with Rule 86 of the Cooperative Societies Rules 1962, I hereby appoint Shri R. A. Phadte Sr. Inspector Coop. Societies, Central Zone, Panaji as liquidator of Govt. High School Khandola School Complex Staff and Students Cons. Coop. Society Ltd.

V. G. Patil, Asstt. Registrar of Coop. Societies, Central Zone.

Panaji, 21st July, 1982.

No. 1/16/66-LQD/Colva-Seva/ARNZ/Vol. II/82

Read: Order No. RES-(C)-85/Goa/LQD/76 dated 6th April, 1976 appointing Shri S. S. Valvaikar, Jr. Inspector as the Liquidator of Colvale M. P. Coop. Society Ltd., Colvale in place of Shri G. R. Tendulkar.

Order

In partial modification of this office order referred to above, Shri D. Y. Gawas, Jr. Inspector, Coop. Societies, North Zone, Mapusa is hereby appointed as the Liquidator of Colvale M. P. Coop. Society Ltd., Colvale with effect from the date of taking over the charge of the society.

D. V. Sathe, Asstt. Registrar of Coop. Societies, North Zone.
Mapusa, 21st July, 1982.

Order

No. AR/NZ/ABN/INST/1982

In exercise of the powers vested in me under the provisions of Section 156 of the Maharashtra Cooperative Societies Act, 1960, as applied to the Union Territory of Goa, Daman and Diu, I, D. V. Sathe, Asstt. Registrar of Cooperative Societies, North Zone, Mapusa, hereby empower Shri U. P. Talaulikar, Senior Inspector, of this Department to work as "Sale Officer" as defined in Rule 2, sub-rule (h) of the Cooperative Societies Rules, 1962 to attach and sell the movable property of defaulters and to execute any decree by attachment and sale of such property as per the procedure laid down in Rule 104 of the Cooperative Societies Rules, 1962 for the Union Territory of Goa, Daman and Diu.

D. V. Sathe, Asstt. Registrar of Coop. Societies, North Zone.
Mapusa, 17th July, 1982.

No. 1/26/67-LQD/Sal-Seva/ARNZ/82

Read: This office order No. 1/26/67-LQD/Sal-Seva/ARNZ dated 16th January, 1981 extending the period of the liquidator of Sal V.K.S.S. Society Ltd., Salem-Bicholim up to 14-1-1982.

Order

In virtue of the powers vested in me under sub-section (1) of section 109 of the Maharashtra Coop. Societies Act, 1960, as applied to the Union Territory of Goa, Daman and Diu, I, D. V. Sathe, Asstt. Registrar of Coop. Societies, North Zone, Mapusa, hereby extend the period of liquidator of the Sal V.K.S.S. Society Ltd., Salem-Bicholim, up to 14-1-1983.

D. V. Sathe, Asstt. Registrar of Coop. Societies, North Zone.
Mapusa, 16th July, 1982.

Revenue Department

Notification

No. 22/95/82-RD

Whereas it appears to the Appropriate Government (hereinafter referred to as "the Government") that the land specified in the schedule hereto (hereinafter referred to as the "said land") is likely to be needed for public purpose viz. Construction of canal escape across L. B. M. C. of Salaulim Irrigation Project at Sirvoi, Quepem.

Therefore the Government is pleased to notify under sub-section (1) of Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as the "said Act") that the said land is likely to be needed for the purpose specified above.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition. Any contracts for the disposal of the said land by sale, mortgage, assignment, exchange or otherwise, or any outlay commenced or improvements made thereon without the sanction of the Collector appointed in paragraph 4 below, after the date of the publication of this Notification, will under clause (seventh) of Section 24 of the said Act, be disregarded by him while assessing com-

No. 1/25/70-LQD/Maem-Vainguinim/ARNZ/82

Read: This office order No. 1/25/70-LQD/Maem-Vainguinim/ARNZ dated 16th January, 1981 extending the period of the Maem-Vainguinim V.K.S.S. Society Ltd., Maem, up to 16-1-1982.

Order

In virtue of the powers vested in me under sub-section (1) of section 109 of the Maharashtra Cooperative Societies Act, 1960, as applied to the Union Territory of Goa, Daman and Diu, I, D. V. Sathe, Asstt. Registrar of Coop. Societies, North Zone, Mapusa, hereby extend the period of the Liquidator of Maem-Vainguinim V. K. S. S. Society Ltd., Maem-Bicholim up to 16-1-1983.

D. V. Sathe, Asstt. Registrar of Coop. Societies, North Zone.
Mapusa, 16th July, 1982.

No. 1/23/79-LQD/Amone-Seva/ARNZ/82

Read: This office order No. 1/23/79-LQD/Amone-Seva/ARNZ dated 16-1-1981 extending the period of the Liquidator of Amone V.K.S.S. Society Ltd., Amone up to 14-1-1982.

Order

In virtue of the powers vested in me under sub-section (1) of section 109 of the Maharashtra Cooperative Societies Act, 1960 as applied to the Union Territory of Goa, Daman and Diu, I, D. V. Sathe, Asstt. Registrar of Coop. Societies, North Zone, Mapusa, hereby extend the period of the liquidator of the Amone V.K.S.S. Society Ltd., Amone-Bicholim, up to 14-1-1983.

D. V. Sathe, Asstt. Registrar of Coop. Societies, North Zone.
Mapusa, 16th July, 1982.

Notification

In exercise of the powers vested in me under section 9(1) of the Maharashtra Cooperative Societies Act, 1960 as applied to the Union Territory of Goa, Daman and Diu, The Jail Staff Cooperative Credit Society Ltd., Aguada-Goa is registered under Code Symbol No. RES-(a)-3/NZ/Goa.

D. V. Sathe, Asstt. Registrar of Coop. Societies, North Zone.
Mapusa, 19th July, 1982.

pensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under Section 6 of the said Act will be published in the Official Gazette, in due course. If the acquisition is abandoned wholly or in part, the fact will be notified.

4. The Government is further pleased to appoint under clause (c) of Section 3 of the said Act the Special Land Acquisition Officer, Sanguem, to perform the functions of a Collector under the said Act in respect of the said land.

5. The Government is also pleased to authorise under sub-section (2) of Section (4) of the said Act, the following officers to do the acts, specified therein in respect of the said land.

1. The Collector of Goa, Panaji.
2. The Special Land Acquisition Officer, Sanguem.
3. The Executive Engineer, Works Division XII, Irrigation Department, P.W.D., Fatorda, Margao.
4. The Director of Land Survey, Panaji.

6. A rough plan of the said land is available for inspection in the office of the Special Land Acquisition Officer, Sanguem for a period of 30 days from the date of publication of this Notification in the Official Gazette.

SCHEDULE
(Description of the said land)

Sr. No.	Taluka	Village/Ward	Survey No.	Sub-Div. No.	Names of the persons believed to be interested	Approximate area in sq. mts.
1	2	3	4	5	6	7
	Quepem	Sirvoi	1	29	1. Keshav Damodar Bene. 2. Gurudas Narayan Bene. 3. Satchitanand Govind Bene. 4. Vassu Subray Bene. 5. Anand Sazgiri Bene. 6. Jagannath Babusso Bene. 7. Damodar Keshav Bene. 8. Surendra Rama Bene.	385.00
			1	32	1. Shri Surendra Rama Bene.	50.00
			1	33	1. Shri Pandarinath Bene. 2. Shri Babusso Bene. 3. Shri Vassu Subray Bene. 4. Shri Anand Sanzagiri Bene.	315.00
			127	5	1. Shri Mukund Bhuto Rego.	2200.00
Total						2950.00

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

L. J. Menezes Pais, Under Secretary (Revenue-I).

Panaji, 12th August, 1982.

Notification

No. 22/92/82-RD

Whereas it appears to the Appropriate Government (hereinafter referred to as "the Government") that the land specified in the schedule hereto (hereinafter referred to as the "said land") is likely to be needed for public purpose viz. Construction of Sub-Health Centre at Mulgao, Bicholim.

Therefore the Government is pleased to notify under sub-section (1) of Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as the "said Act") that the said land is likely to be needed for the purpose specified above.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition. Any contracts for the disposal of the said land by sale, mortgage, assignment, exchange or otherwise, or any outlay commenced or improvements made thereon without the sanction of the Collector appointed in paragraph 4 below, after the date of the publication of this Notification, will under clause (seventh) of Section 24 of the said Act, be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under Section 6 of the said Act will be published in the Official Gazette, in due course. If the acquisition is abandoned wholly or in part, the fact will be notified.

4. The Government is further pleased to appoint under clause (c) of Section 3 of the said Act the Dy. Collector (Land Acquisition Officer) Panaji to perform the functions of a Collector under the said Act in respect of the said land.

5. The Government is also pleased to authorise under sub-section (2) of Section (4) of the said Act, the following officers to do the acts, specified therein in respect of the said land.

1. The Collector of Goa, Panaji.
2. The Dy. Collector (Land Acquisition Officer), Panaji.
3. The Director of Health Services, Panaji.
4. The Director of Land Survey, Panaji.

6. A rough plan of the said land is available for inspection in the office of the Dy. Collector (Land Acquisition Officer), Panaji for a period of 30 days from the date of publication of this Notification in the Official Gazette.

SCHEDULE
(Description of the said land)

Sr. No.	Taluka	Village/Ward	Plot No.	Survey No.	Names of the persons believed to be interested	Approximate area in sq. mts.
1	2	3	4	5	6	7
	Bicholim	Mulgao	—	270/1 (Part)	Premanand Vathu Haldankar. <i>Boundaries:</i> North: Survey No. 270/1. South: Road. East: Survey No. 270/2. West: Survey No. 270/1.	2100.00
Total						2100.00

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

L. J. Menezes Pais, Under Secretary (Revenue-I).

Panaji, 11th August, 1982.

Notification
No. 22/96/82-RD

Whereas it appears to the Appropriate Government (hereinafter referred to as "the Government") that the land specified in the schedule hereto (hereinafter referred to as the "said land") is likely to be needed for public purpose viz. Construction of Sub-Health Centre at Pale, Bicholim.

Therefore the Government is pleased to notify under sub-section (1) of Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as the "said Act") that the said land is likely to be needed for the purpose specified above.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition. Any contracts for the disposal of the said land by sale, mortgage, assignment, exchange or otherwise, or any outlay commenced or improvements made thereon without the sanction of the Collector appointed in paragraph 4 below, after the date of the publication of this Notification, will under clause (seventh) of Section 24 of the said Act, be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under Section 6 of the said Act will be published in the Official Gazette, in due course. If the acquisition is abandoned wholly or in part, the fact will be notified.

4. The Government is further pleased to appoint under clause (c) of Section 3 of the said Act the Dy. Collector (Land Acquisition Officer), Panaji, to perform the functions of a Collector under the said Act in respect of the said land.

5. The Government is also pleased to authorise under sub-section (2) of Section (4) of the said Act, the following officers to do the acts, specified therein in respect of the said land.

1. The Collector of Goa, Panaji.
2. The Dy. Collector (Land Acquisition Officer), Panaji.
3. The Director of Health Service, Panaji.
4. The Director of Land Survey, Panaji.

6. A rough plan of the said land is available for inspection in the office of the Dy. Collector (Land Acquisition Officer), Panaji, for a period of 30 days from the date of publication of this Notification in the Official Gazette.

SCHEDULE
(Description of the said land)

Sl. No.	Taluka	Village/Ward	Plot No.	Survey No.	Names of the persons believed to be interested	Approximate area in sq. mts.
1	2	3	4	5	6	7
	Bicholim	Pale	—	253/1 (Part)	<ol style="list-style-type: none"> 1. Vinayak Shambu Dalvi. 2. Ramesh Martoba Dalvi. 3. Balkrishna Martoba Dalvi. 4. Ratnakar Martoba Dalvi. 5. Gunba Fondba Dalvi. 6. Laxmikan: Fondba Dalvi. 7. Sadanand Sadasiv Dalvi. 8. Chandrakant Ragunata Dalvi. 9. Gurudas Ragunath Dalvi. 10. Dattatray Manguesh Dalvi. 11. Madav Shridar Dalvi. 12. Indirabai Ramchandra Dalvi. 13. Dattaram Mahadev Dalvi. 14. Subray Mahadev Dalvi. 15. Bhaskar Hari Dalvi. 16. Dinanath Sambu Dalvi. 17. Heramb Venkatesh Dalvi. 18. Vishnu Sadasiv Dalvi. <p><i>Boundaries:</i> North: Survey No. 253/1. South: Road, Nala. East: Survey No. 253/1. West: Survey No. 253/1.</p>	2150.00
Total						2150.00

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

L. J. Menezes Pais, Under Secretary (Revenue-I).

Panaji, 16th August, 1982.

Notification
No. 22/107/81-RD

Whereas by Government Notification No. 22/107/81-RD dated 24-10-1981 published on page 327 of Series II, No. 32 of the Official Gazette, dated 5-11-1981 it was notified under Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as "the said Act") that the land specified in the schedule appended to the said Notification (hereinafter referred to as the "said land") was likely to be needed for the public purpose viz. Implementation of housing activities by the Goa, Daman and Diu Housing Board at Moti Daman, Daman.

And Whereas the appropriate Government (hereinafter referred to as "the Government") is satisfied after considering the report made under sub-section (2) of Section 5A of

the said Act, that the said land specified in the schedule hereto is needed to be acquired for the public purpose specified above.

Now, Therefore, the Government is pleased to declare under the provisions of Section 6 of the said Act that the said land is required for the public purpose specified above.

2. The Government is also pleased to appoint under clause (c) of Section 3 of the said Act, the Deputy Collector of Daman, Daman to perform the functions of a Collector for all proceedings hereinafter to be taken in respect of the said land, and to direct him under Section 7 of the said Act to take order for the acquisition of the said land.

3. A plan of the said land can be inspected at the office of the said Collector of Daman, Daman till the award is made under Section 11.

SCHEDULE
(Description of the said land)

Sr. No.	Taluka	Village/Ward	Plot No.	Names of the persons believed to be interested	Approximate area in sq. mts.
1	2	3	4	5	6
1	Daman	Moti-Daman (Jumprim)	67/PTS-85	1. Shri Dadabhai Godrej Wadia. 2. Smt. Perin Godrej Wadia. 3. Shri Navroz Godrej Wadia. 4. Shri Kensa Dadabhai Wadia.	5,196.00
Total					5,196.00

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

L. J. Menezes Pais, Under Secretary (Revenue-I).

Panaji, 12th August, 1982.

Notification
No. 22/93/82-RD

Whereas it appears to the Appropriate Government (hereinafter referred to as "the Government") that the land specified in the schedule hereto (hereinafter referred to as the "said land") is likely to be needed for public purpose viz. Construction of Sub-Health Centre at Suria, Bicholim.

Therefore the Government is pleased to notify under sub-section (1) of Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as the "said Act") that the said land is likely to be needed for the purpose specified above.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition. Any contracts for the disposal of the said land by sale, mortgage, assignment, exchange or otherwise, or any outlay commenced or improvements made thereon without the sanction of the Collector appointed in paragraph 4 below, after the date of the publication of this Notification, will under clause (seventh) of Section 24 of the said Act, be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under Section 6 of the said Act will be published in the Official Gazette, in due course. If the acquisition is abandoned wholly or in part, the fact will be notified.

4. The Government is further pleased to appoint under clause (c) of Section 3 of the said Act the Dy. Collector, (Land Acquisition Officer), Panaji to perform the functions of a Collector under the said Act in respect of the said land.

5. The Government is also pleased to authorise under sub-section (2) of Section (4) of the said Act, the following officers to do the acts, specified therein in respect of the said land.

1. The Collector of Goa, Panaji.
2. The Dy. Collector (Land Acquisition Officer), Panaji.
3. The Director of Health Service, Panaji.
4. The Director of Land Survey, Panaji.

6. A rough plan of the said land is available for inspection in the office of the Dy. Collector (Land Acquisition Officer), Panaji for a period of 30 days from the date of publication of this Notification in the Official Gazette.

SCHEDULE
(Description of the said land)

Sr. No.	Taluka	Village/Ward	Plot No.	Survey No.	Names of the persons believed to be interested	Approximate area in sq. mts.
1	2	3	4	5	6	7
	Bicholim	Sulra	—	76 Part	O: Shridhar Soiru Sinai Bhandiye. T: Vithal Pandhari Kolhapurkar. Pundalic Shambu Kolhapurkar. Anant Bhiku Xete Verenkar. Vassu Shankar Amonkar. Gopi Shankar Amonkar. Vithal Babu Ghadi.	1500.00
				77 Part	O: Shrikant Shantaram Sinai Surlikar. T: Yeshwant Vishnu Kerkar. Boundaries: North: Survey No. 76. South: Road. East: Survey No. 76 and Survey No. 77. West: Road.	675.00
Total						2175.00

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

L. J. Menezes Pais, Under Secretary (Revenue-I).

Panaji, 13th August, 1982.

Notification

No. 22/87/82-RD

Whereas it appears to the Appropriate Government (hereinafter referred to as "the Government") that the land specified in the schedule hereto (hereinafter referred to as the "said land") is likely to be needed for public purpose viz. For laying additional C. I. Gravity main from Curti to Banastarim at Bhoma.

Therefore the Government is pleased to notify under sub-section (1) of Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as the "said Act") that the said land is likely to be needed for the purpose specified above.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition. Any contracts for the disposal of the said land by sale, mortgage, assignment, exchange or otherwise, or any outlay commenced or improvements made thereon without the sanction of the Collector appointed in paragraph 4 below, after the date of the publication of this Notification, will under clause (seventh) of Section 24 of the said Act, be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under Section 6 of the said Act will be published in the Official Gazette, in due course. If the acquisition is abandoned wholly or in part, the fact will be notified.

4. The Government is further pleased to appoint under clause (c) of Section 3 of the said Act the Land Acquisition Officer, P.W.D. (Cell), Altinho, Panaji, to perform the functions of a Collector under the said Act in respect of the said land.

5. The Government is also pleased to authorise under sub-section (2) of Section (4) of the said Act, the following officers to do the acts, specified therein in respect of the said land.

1. The Collector of Goa, Panaji.
2. The Land Acquisition Officer, P.W.D. (Cell), Altinho, Panaji.
3. The Executive Engineer, PHE-North, P.W.D., Panaji.
4. The Director of Land Survey, Panaji.

6. A rough plan of the said land is available for inspection in the office of the Land Acquisition Officer, P.W.D. (Cell), Altinho, Panaji, for a period of 30 days from the date of publication of this Notification in the Official Gazette.

SCHEDULE

(Description of the said land)

Sr. No.	Taluka	Village/Ward	Survey No.	Sub-Div. No.	Names of the persons believed to be interested	Approximate area in sq. mts.
1	2	3	4	5	6	7
	Ponda	Bhoma	10	5	Shripad Shankar Amonkar.	80.00
				7	Comunidade of Bhoma.	120.00
				8	Devasthan Mallikarjun.	80.00
				9	Comunidade of Bhoma.	160.00
				10	— do —	220.00
				11	— do —	50.00
			11	1	Devasthan Mallikarjun.	25.00
				2	Comunidade of Bhoma.	70.00
				3	— do —	25.00
				4	— do —	30.00
				5	— do —	60.00
				6	— do —	70.00
				7	— do —	60.00
				8	Devasthan Mallikarjun.	20.00
				9	Comunidade of Bhoma.	150.00
				10	Comunidade of Bhoma.	40.00
				11		70.00
				Part		
			12	1/Part	Vasant Gangadhar Kenkre.	500.00
			13	1/Part	Bhalkrishna Shenvi Kundaikar.	850.00
			14	1/Part	— do —	1500.00
			16	(Part)	Vasant Gangadhar Kenkre.	1600.00
			17	1/Part	Shrikant Laximan Amonkar. Shamsundar L. Amonkar.	230.00
			17	5/Part		75.00
			17	6/Part		125.00
			18	Part	Comunidade of Bhoma.	1800.00
			19	Part	Comunidade of Bhoma. T: Krishna Shanu Gaude.	1050.00
			20	1/Part	Jivottam Vassudeo Shenvi Amonkar.	1050.00
			21	(Part)	Nagesh Ragoba Gaude. Kashinath Gopal Gauda. Shankar Nano Gauda.	550.00
			21	(Part)	Damodhar Venkatesh Kamat.	
			35	1/Part	Jivottam Vassudeo Shenvi Amonkar.	200.00

1	2	3	4	5	6	7
	Ponda	Bhoma		2/Part	Suresh Gundu Amonkar.	200.00
				3/Part	Suresh Gundu Amonkar. Vassant M. Amonkar.	175.00
				4/Part	Phondu Shonu Naik.	100.00
				5/Part	Gajanan Subha Kamat.	100.00
				6/Part	— do —	110.00
			38	1/Part	Comunidade of Bhoma.	70.00
				3/Part	Shamsunder Laximan Amonkar. Shripad Shankar Amonkar. Subha Venkatesh Kamat. Ananet Baburao Naik. Prabhakar Gangadar Amonkar. Vasant M. Amonkar. Gajanan Subha Kamat. Shrinivas Madhav Kamat.	1200.00
			37	4/Part	Monmohan Dattoba Amonkar.	25.00
			37	5/Part	Prabhakar Amonkar. Subha Venkatesh Amonkar.	100.00
			39	1/Part	Gajanan Subha Kamat.	180.00
				2/Part	Shamsundar Laxman Amonkar.	125.00
				3/Part	— do —	450.00
				4/Part	Anant Baburao Naik.	30.00
				5/Part	— do —	725.00
				6/Part	Vithal Putu Gaude. Venkatesh Damodar Kamat.	1060.00
			42	1/Part	Surya Poto Naik. Ramchandra Kaparo Naik. Kaju Keshav Naik. Krishna Sonu Naik. Datta Giri Naik. Bhikaro Sonu Naik. Anand G. Naik.	350.00
				2/Part	Balkrishna Shenavi Kundaikar.	350.00
				3/Part	Ula Budhu Naik. Gajanan Yeshwant Naik. Chandrakant Tucaram Naik. Jaganath Soyru Naik. Vishnu Attma Naik. Krishnanand Bhagwant Naik. Raghuvir Pardari Naik.	1800.00
				4/Part	Anant Vaikunt Kamat.	100.00
				5/Part	Dinanath Shivram Rao. Balchandra Shirvram Rao. Premanand Shriram Rao.	100.00
				6/Part	Kamlakant Ramchandra Kamat.	125.00
			42	7/Part	Janardhan Krishna Kamat.	150.00
				8/Part	Shrikant Laximan Amonkar.	250.00
			43	2/Part	Datta Jaganath Naik.	500.00
				3/Part	Shrikant Laximan Amonkar. Vasudev Shridhar Kamat. Shripad Dattaram Kamat. Chandrashaker Dattaram Kamat. Balchandra Dattaram Kamat. Keshav Bhawanishankar Mandorkar.	250.00
				4/Part	Balkrishna Saivram Sinai Kundaikar.	850.00

Boundaries:

North: Village boundary of Adcolna.

South: Village Boundary of Cundaim.

East: Survey No. 10/5, 7, 8, 9, 10, Survey No. 11/1, 2, 3, 4, 5, 6, 7, 8, 9, 1, Survey No. 12/1, Survey No. 13/1, Survey No. 14/1, Survey No. 16, Survey No. 17/1, Survey No. 18, 19 Survey No. 20/1, Survey No. 21, Survey No. 35/1, 2, 3, 4, 5, 6, Survey No. 38/1, 3, Nala, Survey No. 39/4, 5, 6, Survey No. 42/1, 2, 3, 4, 5, 6, 7, 8, Survey No. 43/1, 2, 3 & 4.

West: Survey No. 10/5, 7, 8, 9, 10 Survey No. 11/1, 2, 3, 4, 5, 6, 7, 8, 9, 10, Survey No. 11/11, Survey No. 12/1, Survey

1	2	3	4	5	6	7
					No. 13/1, Survey No. 14/1, Survey No. 16, Survey No. 17/1, 6, Survey No. 18, Survey No. 20/1, Survey No. 21, Survey No. 35/1, 2, Survey No. 37/4, 5, Survey No. 39/1, 2, 3, 6, Survey No. 42/1, 2, 3, 4, 5, 6, 7, 8, Survey No. 43/1, 2, 3, 4 & Nala.	
Total						20855.00

By order and in the name of the Lt. Governor of Goa, Daman and Diu.
L. J. Menezes Pais, Under Secretary (Revenue-I).
Panaji, 9th August, 1982.

Notification
No. 22/90/82-RD

Whereas it appears to the Appropriate Government (hereinafter referred to as "the Government") that the land specified in the schedule hereto (hereinafter referred to as the "said land") is likely to be needed for public purpose viz. Expansion of Dairy Farm at Kachigam, Daman (additional area).

Therefore the Government is pleased to notify under sub-section (1) of Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as the "said Act") that the said land is likely to be needed for the purpose specified above.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition. Any contracts for the disposal of the said land by sale, mortgage, assignment, exchange or otherwise, or any outlay commenced or improvements made thereon without the sanction of the Collector appointed in paragraph 4 below, after the date of the publication of this Notification, will under clause (seventh) of Section 24 of the said Act, be disregarded by him while assessing com-

pensation for: such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under Section 6 of the said Act will be published in the Official Gazette, in due course. If the acquisition is abandoned wholly or in part, the fact will be notified.

4. The Government is further pleased to appoint under clause (c) of Section 3 of the said Act the Deputy Collector of Daman, Daman to perform the functions of a Collector under the said Act in respect of the said land.

5. The Government is also pleased to authorise under sub-section (2) of Section (4) of the said Act, the following officers to do the acts, specified therein in respect of the said land.

1. The Collector of Daman, Daman.
2. The Deputy Collector of Daman.
3. The Veterinary Officer, Daman.

6. A rough plan of the said land is available for inspection in the office of the Collector of Daman, Daman for a period of 30 days from the date of publication of this Notification in the Official Gazette.

SCHEDULE
(Description of the said land)

Sr. No.	Taluka	Village/Ward	Survey No.	Names of the persons believed to be interested	Approximate area in sq. mts.
1	2	3	4	5	6
1	Daman	Kachigam	321/2	Shri Nanu Makan.	9,800.00
Total					9,800.00

By order and in the name of the Lt. Governor of Goa, Daman and Diu.
L. J. Menezes Pais, Under Secretary (Revenue-I).
Panaji, 13th August, 1982.

Public Health Department

Order
No. 5/43/82-PHD

On the recommendations of the Local Selection Committee, Dr. Mahesh G. Sardessai, is hereby appointed on ad-hoc basis to the post of Lecturer in Radiology, in the pay-scale of Rs. 1100-50-1500-EB-60-1800 in the Goa Medical College, Panaji with effect from the date of take over until further orders subject to the terms and conditions mentioned in the Memorandum even number dated 17-6-82. The performance of Dr. Sardessai shall be assessed every two months.

The above appointment will not bestow on the person a claim for regular appointment and the service rendered on ad-hoc basis in the grade would not count for the purpose of seniority in that grade and for eligibility for promotion to the next higher grade.

The continuation of Dr. Sardessai on the ad-hoc post is subject to the condition that his performance is found satisfactory.

Dr. Sardessai has already been declared fit by the Medical Board, Panaji.

By order and in the name of the Administrator of Goa, Daman and Diu.
M. S. Sail, Under Secretary (Health).
Panaji, 13th August, 1982.

Industries and Labour Department

Order

No. 28/21/82-ILD

Whereas the Lieutenant Governor of Goa, Daman and Diu is of the opinion that an industrial dispute exists between the management of the River Navigation Department of the Government of Goa, Daman and Diu and their workman, Shri Parshuram Prabhu Dessai, Betim-Bardez in respect of the matters specified in the Schedule hereto annexed (hereinafter referred to as the "said dispute");

And whereas the Lieutenant Governor of Goa, Daman and Diu considers it expedient to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947), the Lieutenant Governor of Goa, Daman and Diu hereby refers the said dispute for adjudication to the Industrial Tribunal, Goa, Daman and Diu, Panaji, constituted under section 7-A of the said Act.

SCHEDULE

1. "Whether the action of the management of the River Navigation Department, Government of Goa, Daman and Diu, Panaji in terminating the services of Shri Parshuram Prabhu Dessai, Ticket Collector with effect from 1-3-1982 on attaining the age of 58 years is justified and legal.

2. If not to what relief Shri Prabhu Dessai Parshuram is entitled to?"

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

S. D. Sadhale, Under Secretary (Industries and Labour).

Panaji, 17th August, 1982.

Order

No. 28/2/79-ILD

The following Award given by the Industrial Tribunal, Goa, Daman and Diu is hereby published as required under the provisions of Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

By order and in the name of the Administrator of Goa, Daman and Diu.

S. D. Sadhale, Under Secretary (Industries and Labour).

Panaji, 28th July, 1982.

IN THE INDUSTRIAL TRIBUNAL GOA,
DAMAN AND DIU, PANAJI-GOA

(Before Dr. Renato de Noronha, Presiding Officer)

Reference No. IT/24/78

1. Workmen of Hotel Vrindavan represented by the Goa Shops and Industrial Workers' Union, Margao.

— Party I/Workmen

V/s.

1. M/s. Hotel Vrindavan

— Party II/Employer.

Shri P. Ghodge, Gen. Secretary of the Union for the Workmen/Party I.

Shri Ramesh Desai, Labour Advisor, for the Employer/Party II.

Panaji. Dated: 12-7-1982.

AWARD

In this reference, made by the Government of Goa, Daman and Diu, by its Order No. IRM/CON(10)/78/IT-8/78 dated

4th March, 1978, to this Tribunal, the Schedule annexed to it reads as follows:

"Whether the workmen of M/s. Vrindavan Restaurant, Vasco-da-Gama (Goa) are entitled to 20 percent bonus for the accounting year 1976-77?

If not, to what relief the workmen are entitled to?"

2. In the statement of claim filed by the Gen. Secretary of the Union it is stated that M/s. Vrindavan Restaurant, Vasco da Gama, Goa, is one of the leading eating houses and restaurant in the whole Goa; its turn over is many times more than the average restaurant and catering houses in this territory; the restaurant employs more than 25 employees, whose wages are extremely low. The Union made a demand by letter dt. 3-10-1977, addressed to the employer, for the payment of bonus at the rate of 20 percent of the annual wages, inclusive of food value, for the accounting year 1976-77; in reply, the employer informed that the bonus calculations were not finalised and that they will pay the bonus, if payable, only after the calculations were ready. Suddenly, on 21-11-77, the employer issued a notice declaring bonus for the year 76-77 at the rate of 12.3 percent and calling upon the workers to collect it on 29-11-77; the workers protested by a peaceful demonstration. The employer declared lockout with effect from 30-11-77, to which the Union reacted by its letter dated 30-12-77. In the conciliation proceedings before the Asstt. Labour Commissioner there was a settlement, whereby the management agreed to lift the lockout w.e.f. 1-1-78 and the workers agreed to restore normalcy and status quo on 30-11-77. Both the parties agreed to negotiate regarding the issue of bonus and, in case they failed to arrive at a settlement, they would approach the conciliation officer. As the dispute could not be solved amicably between the parties, the conciliation officer was approached but there too the conciliation failed and hence this reference. It is submitted that, the balance sheet and the profit and loss account for the year ending 31-3-77 prepared by the employer cannot be relied upon, as it did not show the correct position of the profits earned by the employer. It is prayed that the employer be directed to pay bonus of 20 percent to the employees.

3. Employer's case, in their written statement, is in short:

That, when the workers saw that their demand for increase of bonus was not granted by the management, resorted to go slow tactic, which prejudicially affected the daily turnover of the employer; after warning the workers that, in case they do not restore normalcy, the management would declare lockout or take other measures to protect their interest, the employer was forced to declare the lockout by notice dated 30-12-77, which was lifted from 1-1-78, in view of the agreement arrived at before the conciliation officer; negotiations between the Union and the employer regarding fixation of the bonus failed. It is submitted that the calculations made by the employer are in conformity with the provisions of the Bonus Act and that the Union has not submitted their calculations in the form of claim for bonus for the said year. It is prayed that the Union be directed to submit such calculations and the employer heard on the same.

4. After issues were framed and list of evidence filed, both the parties' representatives appeared before the Tribunal with a memorandum of settlement arrived at between them and prayed that a Consent Award be passed.

5. Following are the terms of the settlement arrived at between the parties:

1. The Management agrees to pay and the Union agrees to accept 4.16 percent bonus over and above 12.3 percent bonus already paid to the workmen during the said year 1976-77.
2. The Management agrees to pay the above amount on or before 15th October, 1980.
3. The Union agrees that in view of clause (1) above, their claim for bonus is finally settled for the year 1976-77.
4. The parties agree to file this Settlement before the Hon'ble Industrial Tribunal-cum-Labour Court in Reference No. IT-24/78 for a consent award in terms of this Settlement".

From the above terms, it is shown that both the parties have made mutual concessions to arrive at an amicable settlement which, according to me, is fair and just.

6. Hence, I pass the following Order:

ORDER

Consent Award in terms of the above settlement is hereby made. No order as to Costs.

Dr. Renato de Noronha
Presiding Officer,
Industrial Tribunal.

Memorandum of settlement under Section 2(p) read with Section 18(1) of the Industrial Disputes Act, 1947 entered into between the Management of M/s. Vrindavan Restaurant, Vasco-da-Gama, and their workmen represented by the President of The Goa Shops and Industrial Workers' Union, Margao, Goa

NAMES OF THE PARTIES

Representing the Management:

Mr. Ramesh Desai
Labour Consultant
202 Govinda Bldg.
Panjim Goa.

Representing the Workmen:

Mr. Prabhakar Ghodge
President
Goa Shops and Industrial
Workers' Union
Margao Goa.

SHORT RECITAL OF THE CASE

The Goa Shops and Industrial Workers' Union, Margao, (hereinafter referred to as the Union) representing the workmen of M/s Vrindavan Restaurant, Vasco-da-Gama, (hereinafter referred to as the Management) raised the demand for 20% bonus for the accounting year 1976-77. Since the matter could not be settled between the parties the matter was taken up by the Assistant Labour Commissioner and Conciliation Officer. Before the Conciliation Officer the Management informed that they have declared and paid 12.3% bonus for the said year as per the Payment of Bonus Act, 1965. The Union did not agree to this bonus declared by the Management for the said year. As no settlement could be reached before the Conciliation Officer, the Conciliation Officer recorded a failure and sent the failure report of conciliation vide his failure report dated 2-2-1978 to the Secretary, Industries and Labour. The Government of Goa, Daman and Diu thereafter referred the dispute to the Industrial Tribunal-cum-Labour Court, Panjim, which is registered as Reference No. IT-24/78. During the pendency of the Reference the parties again discussed the issue mutually and arrived at the following settlement.

TERMS OF SETTLEMENT

1. The Management agrees to pay and the Union agrees to accept 4.16% bonus over and above 12.3% bonus already paid to the workmen during the said year 1976-77.
2. The Management agrees to pay the above amount on or before 15th October 1980.
3. The Union agrees that in view of clause (1) above, their claim for bonus is finally settled for the year 1976-77.
4. The parties agree to file this Settlement before the Hon'ble Industrial Tribunal-cum-Labour Court in Reference No. IT-24/78* for a consent award in terms of this Settlement.

SIGNATURE OF THE PARTIES

For the Management:

Ramesh Desai

Dated: 4-10-80

For the Workmen:

Prabhakar Ghodge

WITNESSES:

1. Sd/-

2. Sd/-

Order

No. 28/2/79-ILD

The following Award given by the Industrial Tribunal, Goa, Daman and Diu is hereby published as required under the

provisions of Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

By order and in the name of the Administrator of Goa, Daman and Diu.

S. D. Sathale, Under Secretary (Industries and Labour).

Panaji, 11th August, 1982.

IN THE INDUSTRIAL TRIBUNAL GOA, DAMAN AND DIU, PANAJI-GOA

(Before Dr. Renato de Noronha, Presiding Officer)

Reference No. IT/17/76

1. Shri Gurudas Rauji Kuwelkar — Workman/Party I
V/s.

1. M/s. Goa Urban Co-operative Bank Ltd. — Employer/Party II

Workman/Party I, represented by Shri Ghodge, President, Goa Shops and Industrial Workers' Union.

Employer/Party II represented by Shri Ramesh Desai, Labour Advisor.

Panaji, Dated: 20-7-1982

AWARD

This is a reference made by the Government under Section 10(2) of the I.D.A., 1947, hereinafter called the Act, to this Tribunal for adjudication of a dispute between the above parties. The Schedule annexed to the Order of Reference, which bears No. IRM/CON(110)/IT-10/76/1222 dated 5th August, 1976 reads:

"Whether the action of the Management of M/s. Goa Urban Co-operative Bank Ltd., in discharging Shri Gurudas Rauji Kuwelkar, Clerk with effect from 2nd December, 1975 is justified?

If not, to what relief the said workman is entitled to?"

2. The case of the workman, as per his statement of claim, is as follows:

The workman was appointed from 13-5-1975 by the employer to fill up one of the permanent vacancies; at the time of appointment he was not given a written appointment order, but was given to understand verbally that his appointment was of a permanent nature and against a permanent vacancy. His appointment letter No. HO/231, dated 30-7-75, stated that his appointment was against a "purely temporary vacancy for one month" at their Margao Branch and that the services of the workman "will stand automatically terminated on the expiry of one month if not terminated earlier". However, the workman had already worked for 2 and half months when he was given the said letter and continued to be in their service thereafter without any break. It was also stated in the said letter that the workman had to pass a written and oral test the employer would hold sometime in future to qualify for his appointment "in regular service". The workman, however, was given to understand that the tests were just a formality and would not affect his employment. The workman appeared for the written test and was declared successful. Then, he was called for an interview on 10-12-75 for which he appeared. He continued in the service of the employer uninterrupted from 13-5-75, date of his appointment, but suddenly he was served with a letter No. HO/1445, dated 26-11-75, terminating his services with effect from 29-11-75 after office hours. The workman, however, continued in service even after that date. He addressed a letter dated 1-12-75 requesting the employer to rescind the illegal and wrongful decision to terminate his services, but without any success. The employer verbally terminated his services with effect from 2-12-75. Then he filed an appeal before the Labour Court under Section 40 of the Shops and Establishments Act 1975 and, in the course of the proceedings of the appeal, both the parties agreed to refer the matter to this Tribunal for adjudication. Hence, this reference. The workman has prayed that his termination of service by the employer, being illegal, has to be set aside and the workman reinstated with full back wages and other benefits and continuity of services since 2-12-75.

3. The employer, in its written statement, submits that the workman was appointed in a purely temporary vacancy from time to time; that the procedure laid down by the bank

for recruitment on permanent basis is different from the one prescribed for recruitment on temporary basis. The temporary workmen are entitled to appear for a competitive test alongwith other candidates whenever permanent vacancies exist; the selection is made purely on merits in the competitive test and no advantage is given to the temporary employee over the other candidate.

In the month of February, 1975, the Bank called by an advertisement all the eligible candidates to apply for the posts to be filled in by the bank, after a competitive examination and interview; the Bank also wrote to the local employment exchange to send a list of suitable candidates; the Bank never filled any permanent vacancy unless a competitive examination and interview were taken; in this transitory period, to cope up with the work, the Bank engaged a number of temporary employees including the workman. The workman was employed on the clear understanding that his absorption in the permanent vacancy would be made only upon his getting through the competitive examination which includes interview. The Bank received 85 applications of candidates for 25 permanent vacancies. Out of these candidates, 65 appeared for the written examination. From the written examination the Bank found that 10 candidates cannot be called for interview, as they did not qualify in view of their not acquiring 40 percent marks, the standard laid down by the Bank. The Bank thereafter called the successful candidates for interview. Out of the candidates that passed in the written tests, the workman was one of them. In the interview, however, the workman was found not upto the mark and as such was not selected to fill the permanent vacancy. As the Bank found 39 candidates suitable for filling the permanent vacancies and as all the vacancies including the temporary vacancies in the earlier period were made permanent, the successful candidates were provided employment to the extent the Bank was in need of them. The procedure laid down for the selection of the candidates was followed without any discrimination. The Bank further submits that while selecting the candidates for the permanent posts, the procedure laid by the Bank was a normal procedure that any organisation would adopt for filling its permanent vacancies. The Bank further submits that the temporary employees, who were working with the Bank as on 21-9-75, were allowed to appear for the written test and the successful candidates from the temporary employees (such candidates who secured 40 percent marks and came upto the mark in interview by the Bank) were also absorbed in permanent post. The final selection of the candidates was strictly on merit. The workman, having failed to come upto the standard, had no lien on the permanent job with the Bank.

There is no provision in the service rules of the Bank to engage a temporary workman as a permanent employee automatically, merely because the temporary employee was working with the Bank. The Bank, for quite a long time, have been recruiting employees in the permanent vacancies by following the procedure referred to above. The Bank also submits that the procedure laid down by the Bank for engaging permanent employees is beyond reproach and cannot be attacked as mala fide. The Bank, therefore, submits that the termination of services of the workman is in conformity with the contract of employment and as such reasonable, proper, legal and bona fide. It is also submitted that no case has been made out by the workman to warrant the relief of reinstatement. The Bank respectfully submits that there is no vacancy existing as on 5-2-1976.

The Bank has denied the allegations in contrary made by the workman in his statement of claim.

4. In his rejoinder, the workman has denied, the allegations made by the employer which are inconsistent with what is stated in the statement of claim.

5. As the Tribunal felt that no additional issues arise (vide rosnama dated 5-11-77) the matter was posted for evidence. The employer examined one witness and the workman's representative examined the workman and one witness. Both the parties' representatives argued the matter.

6. In his statement before the Tribunal, the workman has stated that, at the time of his appointment, he was not issued an appointment letter but given to understand that his appointment was to fill a permanent vacancy; however, subsequently, an appointment letter dated 30-7-75 (Exh. W-1) was issued, wherein it was stated that the appointment was of a temporary nature, for one month, at Margao and will stand automatically terminated on the

expiry of that period, if not terminated earlier; it was further stated that he will be called for a written test to be held shortly and his absorption in regular services of the bank will solely depend on his passing the written and the oral test and also ranking in the examination. That, after the receipt of the letter Exh. W-1, he and his brother, who had arranged the employment for him, contacted the Manager, who assured them that they should not worry about the employment, the letter was a mere formality and only for the purpose of record. Then, he received the letter Exh. W-3 colly, for the written test; at this time, again he and his brother contacted the Manager, who gave them the same assurance saying that they were only complying with formalities and the employment did not depend upon the test which was a mere formality. After the written test, he was called for the oral test by letter Exh. W-4. Then, some days after, his services were terminated by letter Exh. W-2 with effect from 29-11-75, although he was actually relieved only on 3-12-1975.

7. This contention of the workman, which is supported by his brother Hari, who has also given his statement in this Tribunal, is denied by the Chief Executive Officer of the Bank, Shri Somnath Kamat, whose statement was also recorded before this Tribunal.

8. It is an admitted fact that the workman was appointed to the post on 13-5-1979 and that, at the time of appointment, no letter of appointment was issued to him; the letter Exh. W-1 was subsequently issued on 30-7-1975 with retrospective effect; in this letter as we saw above, it is clearly mentioned that the workman's appointment is for a temporary vacancy and the workman could be absorbed in regular services only after undergoing successfully the written and oral test, to be held in due time. It is further stated in this letter that the workman did not have any lien on the post and will not get any preference for being appointed in the regular service if his performance in the test is not to the satisfaction of the Bank. The witness Shri Kamat has denied, in his statement, that any assurance was given to the workman that the test was a mere formality and he should not worry about it.

9. It is also admitted that the workman appeared for the written test in which he passed and then was called for the oral test (interview) in which, according to the witness Shri Kamat, he failed. This witness has produced the list of all 85 candidates called for the written test (Exh. M-1) and the list (Exh. M-2) of 55 candidates out of the 85 called for the interview; he has also produced the list of the selected candidates after the interview. From this last list it is shown that 3 temporary employees of the Bank, including the workman herein, were eliminated after the interview, as their performance was unsatisfactory. The witness has further stated that the practice of taking temporary employees and then having the test and interview for them existed in the past for quite sometime in the Bank and, to prove this, he has produced the appointment letter of one Shri Rajendra Borcar dated 22-4-74, which is similar in its contents to Exh. W-1. The mere fact that the temporary appointment of the workman, although initially for the period of one month, was subsequently extended, on oral instructions, for further periods till the date of the termination of his services cannot give any right to the workman to the job in question. If his appointment, from the beginning, was for a permanent post he should not have accepted the appointment letter Exh. W-1, nor submitted himself for the written and oral test and fought his case on the basis of the alleged assurance given to him by the Management. By not having done so, he has accepted the conditions laid down in his appointment letter Exh. W-1 and, therefore, has to accept also his failure in the oral test.

10. It was for the workman to prove all the allegations made by him in respect of the assurances given by the Management and earlier practice as existing in the Bank, as alleged by him, which he has failed to prove. On the other side, the employer has proved that the practice of holding test is in existence in the Bank atleast from 1974 (vide the letter of appointment of Rajendra Borcar) and that while conducting the test there was no discrimination since 3 temporary employees of the Bank were eliminated while other temporary employees alongwith some outsiders were admitted.

11. In the aforementioned circumstances, I pass the following Order:

ORDER

The discharge of the workman by the Bank from 2-12-74 is legal and justified. I leave each party to bear its own Costs in the circumstances of this case.

Dr. Renato de Noronha
Presiding Officer,
Industrial Tribunal.

Corrigendum

In the Order No. 7/12-1/82-WET, dated 19-6-1982, of Works, Education and Tourism Department, published in the Official Gazette, Series II, No. 15, dated 8-7-1982, the name appearing in the 2nd line should be read as "B. G. Khandeparkar" instead of "D. G. Khandeparkar" and the words "P. N. D." appearing in the 3rd line should be read as "P. W. D."